

# **EXHIBIT B**

# ***EXHIBIT A***

Redacted pursuant to Uniloc's ongoing contention that  
certain information therein should be sealed.

Apple objects to Uniloc's designation but has redacted this transcript  
in order to avoid motion practice before the Court.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF TEXAS  
3                   MARSHALL DIVISION  
4       UNILOC USA, INC. and                   )  
      UNILOC LUXEMBOURG S.A.,               )  
5                                                )  
                                              )  
6                   Plaintiffs,               ) CIVIL ACTION NO.:  
                                              )  
7       vs.                                    ) 2:17-cv-00258  
                                              )  
8       APPLE, INC.,                         )  
                                              )  
9                   Defendant.               )

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VIDEOTAPED/REALTIMED DEPOSITION OF  
SEAN DYLAN BURDICK, P.E.  
AUGUST 3, 2017

CONFIDENTIAL - ATTORNEYS' EYES ONLY

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1 Q. Anyone else?

2 A. Yes. There was another firm in Irvine,  
3 California. I'm sorry, their name escapes me.

4 Q. Anyone else that you can think of?

5 A. Yes. We have foreign associates.

6 Q. Fair enough. We're restricting your  
7 answer to the prosecution of United States patents  
8 and patent applications.

9 Can you think of anyone that you  
10 haven't already identified for me that Uniloc USA  
11 has used as an external consultant or law firm in  
12 the past three years for patent prosecution?

13 A. I think that's all.

14 Q. Have the business functions of Uniloc USA  
15 that are conducted in the Plano office changed in  
16 any way in the last three years?

17 A. No.

18 Q. What business functions of Uniloc USA are  
19 conducted out of the Irvine and now Newport Beach,  
20 California offices?

21 A. The Newport Beach office is primarily an  
22 executive office for meetings, in-person meetings,  
23 phone conferences. We discuss at the executive  
24 levels the business of the company, both Uniloc USA  
25 business and Uniloc Luxembourg business.

1 is -- could be a dozen in a month.

2 Q. Okay. Well, ballpark for me, then, are we  
3 talking about over the last three years 100 days  
4 that Uniloc's employees, you, Mr. Etchegoyen, and  
5 then Mr. Maynard, the external counsel, have spent  
6 in executive meetings in Southern California?

7 A. Could you please repeat the question.

8 Q. Sure. Can you ballpark for me how many  
9 days over the past three years Uniloc's employees,  
10 such as yourself and Mr. Maynard, have spent in  
11 executive meetings in Southern California?

12 A. Well, if you can give me a minute to  
13 think.

14 Q. Please.

15 A. Probably around 100 meetings.

16 Q. When you say "a meeting," you're referring  
17 to a day in which individuals such as yourself and  
18 Mr. Etchegoyen met together, correct?

19 A. Yes, that's fair.

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 10:09 a.m.

2 (A recess was taken from 10:09 a.m. to  
3 10:22 a.m.)

4 THE VIDEOGRAPHER: Back on record at  
5 10:22 a.m. Beginning of Media 2.

6 Q. (BY MR. PIEJA) Welcome back, Mr. Burdick.

7 We had talked a little bit before the  
8 recess about the business functions that Uniloc USA  
9 performs out of its Plano and Southern California  
10 offices.

11 What, if any, business functions does  
12 Uniloc USA conduct out of its Tyler, Texas office?

13 A. Well, that office is primarily a -- used  
14 for document storage for historical files.

15 It's also used by our outside counsel  
16 when there are hearings in the Tyler courthouse.

17 It's also used in preparation for  
18 trial.

19 Q. If I were to go there today, for instance,  
20 I wouldn't find any Uniloc employees there, would I?

21 A. You would not.

22 Q. Fair to say that the function of the Tyler  
23 office is principally a litigation support function,  
24 correct?

25 A. That's fair.

1 Q. It provides a space when needed and a  
2 repository when needed for people and things that  
3 are -- well, I'll withdraw that.

4 The Tyler office provides a meeting  
5 space or a work space for teams working on Uniloc  
6 litigations, correct?

7 A. That's correct.

8 Q. And the Tyler office houses historical  
9 files of the company, correct?

10 A. Correct.

11 Q. That's pretty much what it does, right?

12 A. That's right.

13 Q. Now, let's talk about Uniloc Luxembourg.

14 Where are Uniloc Luxembourg's offices?

15 A. Those offices are in Luxembourg. Well,  
16 the -- there are a number of board members, some of  
17 whom work in Luxembourg at -- in Luxembourg City.  
18 The address is 14 Rue something. It's one of those  
19 European names.

20 Q. Okay. So Uniloc Luxembourg has a physical  
21 office in Luxembourg City?

22 A. The office is owned by a company called  
23 Vistra, and there's office space used in that  
24 facility by Uniloc Luxembourg's board members.

25 Q. Is Uniloc Luxembourg a sublessee of the

1 responses about where Mr. Etchegoyen is located.

2 Where is Miss Falda located?

3 A. She's located in Luxembourg.

4 Q. What about Mr. Ritz?

5 A. He's located in Luxembourg.

6 Q. Okay. What about Mr. Meisinger?

7 A. I believe California.

8 Q. Okay. Where in California is

9 Mr. Meisinger located?

10 A. I -- Southern California somewhere. I  
11 don't know the name of the city.

12 Q. And you indicated, I believe, that in  
13 addition to the four Uniloc Luxembourg board members  
14 that you named, there was an additional individual  
15 who was a Uniloc Luxembourg board member located in  
16 Luxembourg; is that correct?

17 A. Correct.

18 Q. And there is -- and you mentioned, I  
19 believe, that in addition to the Uniloc Luxembourg  
20 board members that you named, there's an additional  
21 individual who's a Uniloc Luxembourg board member  
22 located in the United States; is that correct?

23 A. I believe so, yes.

24 Q. Do you know where that United States based  
25 Luxembourg board member is physically?



1 Q. Are the hard copy versions of Uniloc's  
2 library of settlement agreements located in the  
3 Plano office?

4 A. Yes.

5 Q. Is the electronic version of the Uniloc  
6 library of settlement agreements located on the file  
7 server in Irvine, California?

8 A. Correct.

9 Q. If I were to look at the hard copy library  
10 of settlement agreements in the electronic library  
11 of settlement agreements, would I see that those two  
12 contain the same set of agreements?

13 A. Well, I'd like to say yes.

14 Q. The goal, at least, of Uniloc is --

15 A. Yes.

16 Q. -- for the hard copy and electronic  
17 versions of the settlement agreement library to  
18 match, correct?

19 A. That's correct.

20 Q. In other words, the same information  
21 should be contained within both the hard copy and  
22 electronic versions of the settlement agreements,  
23 correct?

24 A. Ideally, yes.

25 Q. And going back to the prior art library,

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A. I don't know.

3

Q. Do you know how long Mr. Etchegoyen has owned the Newport Beach, California, property for?

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A. Not exactly. I believe he's owned that property since I came to work, at least as long as -- at least since 2010.

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Q. What type of property is Mr. Etchegoyen's Newport Beach property? Is it a residence or an office building, something different?

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A. I believe it's a single-family residence.

Q. Does Mr. Etchegoyen live in the Newport Beach, California, detached single-family residence that he owns?

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A. He uses it when he is doing business in Orange County.

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Q. When Mr. Etchegoyen is in Orange County, he stays at the Newport Beach home that he owns. Fair?

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A. To the best of my knowledge, yes.

21

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Q. He -- that's not a rental property that he rents out to tenants to make money. Fair?

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24

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A. I think there -- he had some efforts along those lines in recent years. I'm not sure whether he actually rented it out from time to time or not.